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On Feb. 11, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Nicole Wartell

Nicole Wartell

**PATENT**  
Attorney Docket No.: 040090-000110US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Peter Littrup et al.

Application No.: 10/757,768

Filed: January 14, 2004

For: CRYOTHERAPY PROBE

Examiner: Not yet known

Art Unit: 3762

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are not enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Patrick M. Boucher  
Reg. No. 44,037

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60419965 v1

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/757,768	
			Filing Date	January 14, 2004	
			First Named Inventor	Littrup, Peter J.	
			Art Unit	3762	
Examiner Name	Not yet known				
Sheet	1	of	1	Attorney Docket Number	040090-000110US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	A1	US-3,942,010	03-02-1976	Peterson et al.	
	A2	US-3,993,123	11-23-1976	Chu et al.	
	A3	US-4,034,251	07-05-1977	Haas	
	A4	US-4,167,771	09-11-1979	Simons	
	A5	US-4,226,281	10-07-1980	Chu	
	A6	US-4,281,268	07-28-1981	Sawa et al.	
	A7	US-4,384,360	05-17-1983	Kitadate et al.	
	A8	US-4,418,421	11-29-1983	Kitadate et al.	
	A9	US-4,838,041	06-13-1989	Bellows et al.	
	A10	US-4,843,446	06-27-1989	Nishino et al.	
	A11	US-4,945,562	07-31-1990	Staub	
	A12	US-4,982,080	01-01-1991	Wilson et al.	
	A13	US-5,012,505	04-30-1991	Zupancic et al.	
	A14	US-5,155,093	10-13-1992	Den et al.	
	A15	US-5,173,606	12-22-1992	Weinberger et al.	
	A16	US-5,212,626	05-18-1993	Bell et al.	
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	A19	US-5,471,844	12-05-1995	Levi	
	A20	US-5,504,924	04-02-1996	Ohashi et al.	
	A21	US-5,757,885	05-26-1998	Yao et al.	
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	A23	US-5,950,444	09-14-1999	Matsunaga	
	A24	US-6,263,046	07-17-2001	Rogers	
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	A27	US-6,377,659	04-23-2002	Snyder et al.	
	A28	US-6,396,901	05-28-2002	Hell et al.	
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	A30	US-6,530,420	03-11-2003	Takada et al.	
	A31	US-6,584,332	06-24-2003	Yoshitake et al.	
	A32	US-6,622,494	09-23-2003	Pourrahimi	
	A33	US-6,622,507	09-23-2003	Cotte et al.	
	A34	US-6,628,002	09-30-2003	Ritz et al.	
	A35	US-2004/0027462 A1	02-12-2004	Hing	
	A36	US-2004/0118144 A1	06-24-2004	Hsu et al.	
	A37	US-2004/0163797 A1	08-26-2004	Cosley et al.	
	A38	US-6,812,464	11-02-2004	Sobolewski et al.	
	A39	US-2004/0218725 A1	11-04-2004	Radley et al.	
	A40				

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/757,768
Filing Date	January 14, 2004
First Named Inventor	Littrup, Peter J.
Art Unit	3762
Examiner Name	Not yet known
Attorney Docket Number	040090-000110US

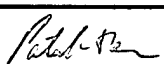
**ENCLOSURES** (Check all that apply)

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Remarks

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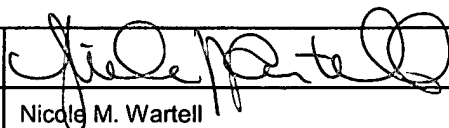
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Patrick M. Boucher		
Date	2005 Jan February 11	Reg. No.	44,037

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